

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

ASSEMBLY, No. 1337

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman ALAN M. AUGUSTINE

District 22 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Requires certain public school districts to provide transportation or in-lieu-of payments to all nonpublic school pupils.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the transportation of nonpublic school pupils in
2 certain school districts and supplementing chapter 39 of Title 18A
3 of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Notwithstanding the provisions of N.J.S.18A:39-1 to the
9 contrary, in the case of a regional school district composed of only
10 two constituent municipalities which is required to provide
11 transportation or an in-lieu-of payment to a school pupil who lives
12 remote from school and attends a nonpublic school located within the
13 State not more than 20 miles from the residence of the pupil, the
14 school district shall provide transportation or an in-lieu-of payment to
15 all nonpublic school pupils who reside within the district, attend that
16 school, and reside remote from that school. If the school district
17 provides transportation, it may require all nonpublic school pupils in
18 the district to use the bus stops which serve the pupils whose
19 residences are not more than 20 miles from the nonpublic school. Any
20 costs incurred by a school district in providing transportation or an in-
21 lieu-of payment to a pupil who is eligible for the transportation or
22 payment under the provisions of this act shall be paid by the State.

23

24 2. This act shall take effect for the 1999-2000 school year.

25

26

27

STATEMENT

28

29 This bill provides that if a regional school district composed of only
30 two constituent municipalities provides transportation or an in-lieu-of
31 payment to a school pupil who lives remote from school and attends
32 a nonpublic school located within the State not more than 20 miles
33 from the residence of the pupil, the school district shall provide
34 transportation or an in-lieu-of payment to all nonpublic school pupils
35 who reside within the district, attend that school, and live remote from
36 that school. If the district provides transportation, it may require all
37 nonpublic school pupils in the district to use the bus stops which serve
38 the pupils whose residences are not more than 20 miles from the
39 nonpublic school.

40 The bill requires the State to pay any cost incurred by a school
41 district in providing transportation or an in-lieu-of payment to a pupil
42 who is eligible for the transportation or payment under the bill's
43 provisions.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1337

STATE OF NEW JERSEY

DATED: MARCH 23, 2000

The Assembly Education Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 1337.

Under current law, P.L.1999, c.350, if a school district provides transportation to and from school to a pupil who lives remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, the school district must also provide transportation or an in-lieu-of payment to all nonpublic school pupils who reside within the municipality of that pupil, attend that school, and reside more than 20 miles from that school. The district may require the nonpublic school pupils to use the bus stops which serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any costs incurred by the school district in providing transportation or an in-lieu-of payment are paid by the State.

This committee substitute provides that in the case of a regional school district composed of only two constituent municipalities, a nonpublic school pupil will qualify for transportation or an aid-in-lieu-of payment according to the above criteria, except that the pupil will not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu of payment pursuant to N.J.S.A.18A:39-1.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1337

STATE OF NEW JERSEY

DATED: MAY 1, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1337 (ACS).

Assembly Bill No. 1337 (ACS) expands the eligibility for transportation services or payments in lieu of transportation for nonpublic school pupils in regional districts composed of only two constituent municipalities.

Under current law, P.L.1999, c.350, if a school district provides transportation to and from school to a pupil who lives remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, then the school district must also provide transportation or an in-lieu-of-transportation payment to all nonpublic school pupils who reside within the municipality of that pupil, attend that school, and reside more than 20 miles from that school. The district may require the nonpublic school pupils to use the bus stops that serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any costs incurred by the school district in providing transportation or an in-lieu-of payment are paid by the State.

This bill provides that, in the case of a regional school district composed of only two constituent municipalities, a nonpublic school pupil will qualify for transportation or an in-lieu-of payment according to the above criteria, except that the pupil will not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu of payment pursuant to N.J.S.A.18A:39-1.

FISCAL IMPACT:

The Office of Legislative Services (OLS) has noted that the bill imposes requirements for additional State funding, but that it is not possible to estimate those costs because there are no data available on the number of nonpublic school pupils affected.

OLS notes that there are 34 regional school districts composed of only two municipalities.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1337
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: MAY 16, 2000

SUMMARY

Synopsis: Provides transportation or in-lieu-of payments to certain nonpublic school pupils.

Type of Impact: Imposes additional State funding requirement.

Agencies Affected: Department of Education

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Requires additional State aid (see discussion)	Requires additional State aid (see discussion)	Requires additional State aid (see discussion)
State Revenue			
Local Cost	No cost (see discussion)	No cost (see discussion)	No cost (see discussion)

! This bill expands the eligibility for transportation services or in-lieu of payments for non public school pupils in regional school districts composed of only two constituent municipalities. The additional costs incurred by school districts as a result of the expanded eligibility are to be paid by the State. It is not possible to estimate the additional State funding requirement imposed under the bill as there is no data available on the number of students who would qualify for the expanded transportation benefit.

BILL DESCRIPTION

Under current law, P.L.1999, c.350, if a school district provides transportation to and from school to an elementary school pupil who lives more than two miles from his school of attendance or a high school pupil who lives more than 2 1/2 miles from his school of attendance and the pupil attends a nonpublic school located within the State not more than 20 miles from his residence, the school district must also provide transportation or an in-lieu-of payment to all nonpublic school pupils who reside within the municipality of that pupil, attend that school, and

reside more than 20 miles from that school. The district may require the nonpublic school pupils to use the bus stops which serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any costs incurred by the school district in providing transportation or an in-lieu-of payment are paid by the State.

A-1337 ACS provides that in the case of a regional school district composed of only two constituent municipalities, a nonpublic school pupil will qualify for transportation or an aid-in-lieu-of payment according to the above criteria, except that the pupil will not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu-of payment pursuant to N.J.S.A.18A:39-1.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services notes that this bill will impose additional funding requirements on the State to reimburse school districts for the additional costs incurred providing transportation services or in-lieu-of payments to nonpublic school pupils who are not now eligible for these benefits but will become eligible under the bill's provisions. It is not possible, however, to determine what those additional costs might be due to the fact that there is no data available on the number of nonpublic school pupils who would meet the bill's eligibility requirements. The Department of Education compiles data on nonpublic school students who were transported or received in-lieu-of payments in the prebudget year as authorized under existing law. OLS notes that there are 34 regional school districts in the State composed of only two constituent municipalities and it is the nonpublic school students who reside within those municipalities more than 20 miles from their nonpublic school of attendance who are potentially eligible for transportation or in-lieu-of payments under the bill.

Section: *Education*

Analyst: *Kathleen Fazzari*
Section Chief

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1337

STATE OF NEW JERSEY

DATED: JUNE 19, 2000

The Senate Education Committee reports favorably Assembly Bill No. 1337(ACS).

This bill expands the eligibility for transportation services or payments in-lieu-of transportation for nonpublic school pupils in regional districts composed of only two constituent municipalities.

Under current law, P.L.1999, c.350, if a school district provides transportation to and from school to a pupil who lives remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, then the school district must also provide transportation or an in-lieu-of-transportation payment to all nonpublic school pupils who reside within the municipality of that pupil, attend that school, and reside more than 20 miles from that school. The district may require the nonpublic school pupils to use the bus stops that serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any costs incurred by the school district in providing transportation or an in-lieu-of payment are paid by the State.

This bill provides that, in the case of a regional school district composed of only two constituent municipalities, a nonpublic school pupil will qualify for transportation or an in-lieu-of payment according to the above criteria, except that the pupil will not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu of payment pursuant to N.J.S.A.18A:39-1.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1337

STATE OF NEW JERSEY

DATED: JUNE 26, 2000

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1337 (ACS).

This bill expands the eligibility for transportation services or payments in lieu of transportation for nonpublic school pupils in regional districts composed of only two constituent municipalities.

Under current law, P.L.1999, c.350, if a school district provides transportation to and from school to a pupil who lives remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, then the school district must also provide transportation or an in-lieu-of-transportation payment to all nonpublic school pupils who reside within the municipality of that pupil, attend that school, and reside more than 20 miles from that school. The district may require the nonpublic school pupils to use the bus stops that serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any costs incurred by the school district in providing transportation or an in-lieu-of payment are paid by the State.

This bill provides that, in the case of a regional school district composed of only two constituent municipalities, a nonpublic school pupil will qualify for transportation or an in-lieu-of payment according to the above criteria, except that the pupil will not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu of payment pursuant to N.J.S.A.18A:39-1.

The provisions of this bill are identical to those of Senate Bill No. 1473, also reported this day by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) has noted that the bill imposes requirements for additional State funding, but that it is not possible to estimate those costs because there are no data available on the number of nonpublic school pupils affected.

OLS notes that there are 34 regional school districts composed of only two municipalities.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1337

STATE OF NEW JERSEY
209th LEGISLATURE

ADOPTED MARCH 23, 2000

Sponsored by:

Assemblyman ALAN M. AUGUSTINE

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Monmouth and Ocean)

Co-Sponsored by:

Senators Palaia, Inverso, Kavanaugh, Allen, Singer and Kyrillos

SYNOPSIS

Provides transportation or in-lieu-of payments to certain nonpublic school pupils.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Education Committee.



(Sponsorship Updated As Of: 6/30/2000)

1 AN ACT concerning the transportation of nonpublic school pupils in
2 certain school districts and amending P.L.1999, c.350.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read
8 as follows:

9 1. a. Notwithstanding any provision of N.J.S.18A:39-1 to the
10 contrary, if a school district provides transportation to and from
11 school to a school pupil who resides remote from school and attends
12 a nonpublic school located within the State not more than 20 miles
13 from the residence of the pupil, the school district shall provide
14 transportation, when seats are available on existing routes, or an
15 in-lieu-of payment to all nonpublic school pupils who reside within the
16 municipality of that pupil except as otherwise provided pursuant to
17 subsection b. of this section, attend that school, and reside more than
18 20 miles from that school. The school district may require all
19 nonpublic school pupils in the municipality to use the bus stops which
20 serve the pupils whose residences are not more than 20 miles from the
21 nonpublic school. Any cost incurred by a school district in providing
22 transportation or an in-lieu-of payment to a pupil who is eligible for
23 the transportation or an in-lieu-of payment under the provisions of this
24 act shall not exceed the maximum cost per pupil established pursuant
25 to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be paid by the
26 State.

27 b. In the case of a regional school district composed of only two
28 constituent municipalities, transportation or an in-lieu-of payment shall
29 be provided pursuant to subsection a. of this section, except that a
30 nonpublic school pupil who otherwise qualifies for transportation or
31 an in-lieu-of payment pursuant to that subsection shall not be required
32 to reside in the municipality of the nonpublic school pupil who
33 qualifies for transportation or an in-lieu-of payment pursuant to
34 N.J.S.18A:39-1.

35 (cf: P.L.1999, c.350, s.1)

36

37 2. This act shall take effect immediately and shall first apply to the
38 2000-2001 school year.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

P.L. 2000, CHAPTER 103, *approved September 1, 2000*
Assembly Committee Substitute for
Assembly, No. 1337

1 **AN ACT** concerning the transportation of nonpublic school pupils in
2 certain school districts and amending P.L.1999, c.350.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read
8 as follows:

9 1. a. Notwithstanding any provision of N.J.S.18A:39-1 to the
10 contrary, if a school district provides transportation to and from
11 school to a school pupil who resides remote from school and attends
12 a nonpublic school located within the State not more than 20 miles
13 from the residence of the pupil, the school district shall provide
14 transportation, when seats are available on existing routes, or an
15 in-lieu-of payment to all nonpublic school pupils who reside within the
16 municipality of that pupil except as otherwise provided pursuant to
17 subsection b. of this section, attend that school, and reside more than
18 20 miles from that school. The school district may require all
19 nonpublic school pupils in the municipality to use the bus stops which
20 serve the pupils whose residences are not more than 20 miles from the
21 nonpublic school. Any cost incurred by a school district in providing
22 transportation or an in-lieu-of payment to a pupil who is eligible for
23 the transportation or an in-lieu-of payment under the provisions of this
24 act shall not exceed the maximum cost per pupil established pursuant
25 to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be paid by the
26 State.

27 b. In the case of a regional school district composed of only two
28 constituent municipalities, transportation or an in-lieu-of payment shall
29 be provided pursuant to subsection a. of this section, except that a
30 nonpublic school pupil who otherwise qualifies for transportation or
31 an in-lieu-of payment pursuant to that subsection shall not be required
32 to reside in the municipality of the nonpublic school pupil who
33 qualifies for transportation or an in-lieu-of payment pursuant to
34 N.J.S.18A:39-1.

35 (cf: P.L.1999, c.350, s.1)

36

37 2. This act shall take effect immediately and shall first apply to the
38 2000-2001 school year.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1

2

3 Provides transportation or in-lieu-of payments to certain nonpublic
4 school pupils.

CHAPTER 103

AN ACT concerning the transportation of nonpublic school pupils in certain school districts and amending P.L.1999, c.350.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read as follows:

C.18A:39-1.6 Transportation of nonpublic school students, remote, certain.

1. a. Notwithstanding any provision of N.J.S.18A:39-1 to the contrary, if a school district provides transportation to and from school to a school pupil who resides remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, the school district shall provide transportation, when seats are available on existing routes, or an in-lieu-of payment to all nonpublic school pupils who reside within the municipality of that pupil except as otherwise provided pursuant to subsection b. of this section, attend that school, and reside more than 20 miles from that school. The school district may require all nonpublic school pupils in the municipality to use the bus stops which serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any cost incurred by a school district in providing transportation or an in-lieu-of payment to a pupil who is eligible for the transportation or an in-lieu-of payment under the provisions of this act shall not exceed the maximum cost per pupil established pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be paid by the State.

b. In the case of a regional school district composed of only two constituent municipalities, transportation or an in-lieu-of payment shall be provided pursuant to subsection a. of this section, except that a nonpublic school pupil who otherwise qualifies for transportation or an in-lieu-of payment pursuant to that subsection shall not be required to reside in the municipality of the nonpublic school pupil who qualifies for transportation or an in-lieu-of payment pursuant to N.J.S.18A:39-1.

2. This act shall take effect immediately and shall first apply to the 2000-2001 school year.

Approved September 1, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: Spetember 1, 2000

Governor Christie Whitman today signed the following legislation:

ACS-1337, sponsored by Assembly Members Alan M. Augustine (R-Middlesex/Morris/Somerset/Union) and Joseph R. Malone, III (R-Burlington/Monmouth/Ocean) and Senators Joseph A. Palaia (R-Monmouth) and Peter A. Inverso (R-Mercer/Middlesex), expands transportation services eligibility for certain non-public school students. The bill requires that - in the case of a regional school district comprised of only two constituent municipalities - a non-public school student qualify for transportation even if the student does not live in the same municipality as other non-public school pupils who are already eligible. This bill further specifies that the State pay any cost incurred by a school district in providing transportation.